IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.3 of 2006

Shri Antim Bhagwandas Totla — Petitioner
Vs.
The State of Maharashtra & ors. — Respondents

Mr.A.P.Mundargi, Sr. Counsel with Mr.Mohan Tekawade
& Mrs.S.M. Tekavade for petitioner.

Mr.V.B.Konde-Deshmukh, APP for State.

CORAM: B.H.MARLAPALLE & SMT.R.S.DALVI,JJ.

February 15, 2006.

P.C.

. Heard Mr.Mundargi, the learned Senior Counsel with Mr.Mohan Tekawade for the petitioner and Mr.Konde-Deshmukh, the learned APP for the Respondent-State authorities. By this petition under Article 226 of the Constitution the petitioner prays for quashing of the FIR registered with the State CID and bearing C.R.No.223/05.

. It is submitted that C.R.No.223 of 2005 continues to be with the Wagle Estate Police Station and on the similar allegations separate FIR came to be registered and subsequently transferred for investigation to the State C.I.D. The petitioner, therefore, prays for nominating one single agency to investigate into these different complaints

registered against seven companies viz. (1) Planet Incorporate, (2) Shyam International, (3) Super Chem, (4) Gurudeo Chemox Industries, (5) Hariom Exim, (6) Vama Board Ltd. and (7) Goodwill Incorporate. The State has no objection for nominating one single agency to carry out the investigations and it is also submitted that in C.R.No.155 of 2005 registered with the Nehru Nagar Police Station charge-sheet has already been submitted against the present petitioner but the investigation against other co-accused is in progress. The said C.R. also could be transferred to the same agency.

. We, therefore, direct that all the pending complaints against these seven companies and their Directors / Partners be transferred for investigation to the Economic Offences Wing, Crime Branch, Mumbai so as to conduct further investigations and take appropriate steps as per law and the said agency would investigate into the offences under the Indian Penal Code, Essential Commodities Act as well as the Sales Tax Act. We clarify that in respect of C.R.No.155 of 2005 the Investigating Agency so nominated will be at liberty to file supplementary charge-sheet on completion of the investigation.

. Petition disposed off in terms of the above directions.

. Certified copy is expedited.

(SMT.R.S.DALVI,J.) (B.H.MARLAPALLE,J.)